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3 235 Montgomery Street
4 Suite 450
5 San Francisco, California 94104
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7 Laurie J. Bartilson
8 BOWLES & MOXON
9 6255 Sunset Boulevard, Suite 2000
10 Hollywood, CA 90028
11 (213) 661-4030

12 Attorneys for Plaintiff
13 CHURCH OF SCIENTOLOGY
14 INTERNATIONAL

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA

16 FOR THE COUNTY OF LOS ANGELES

17 CHURCH OF SCIENTOLOGY	)	CASE NO. BC 052395
18 INTERNATIONAL, a California not-	)	
19 for-profit religious corporation,	)	DECLARATION OF LAURIE J.
20	)	BARTILSON IN SUPPORT OF
21 Plaintiff,	)	APPLICATION FOR ORDER TO
22	)	SHOW CAUSE WHY GERALD
23 vs.	)	ARMSTRONG SHOULD NOT BE
24	)	HELD IN CONTEMPT
25	)	
26 GERALD ARMSTRONG; DOES 1 through	)	DATE: December 31, 1992
27 25, inclusive,	)	TIME: 1:30 p.m.
28	)	DEPT: 88
29	)	DISCOVERY CUT-OFF: None
30 Defendants.	)	MOTION CUT-OFF: None
31	)	TRIAL DATE: May 3, 1992

32 I, LAURIE J. BARTILSON; hereby declare:

33 1. I am a member of the law firm of Bowles & Moxon and am
34 an attorney admitted to practice in the State of California. My
35 firm represents plaintiff Church of Scientology International
36 ("Church") in the instant case. I am submitting this declaration
37 in support of the Church's Motion for Order to Show Cause Why
38 Gerald Armstrong Should Not Be Held in Contempt ("Motion") and

1 said Motion's accompanying memorandum of points and authorities
2 ("Memorandum"). I have personal knowledge of the matters
3 specified in this declaration and, if called upon to testify on
4 such matters, would and could do so competently.

5 2. On May 28, 1992, this Court issued a preliminary
6 injunction order ("May 28 Order") in this case which stated, in
7 relevant part:

8 Defendant Gerald Armstrong, his agents, and
9 persons acting in concert or conspiracy with him
(excluding attorneys at law who are not said
10 defendant's agents or retained by him) are
11 restrained and enjoined during the pendency of
this suit pending further order of this court from
doing directly or indirectly any of the following:

12 Voluntarily assisting any person (not a
13 governmental organ or entity) intending to make,
intending to press, intending to arbitrate, or
14 intending to litigate a claim against the persons
referred to in sec. 1. of the "Mutual Release of
15 All Claims and Settlement Agreement" of December
1986 regarding such claim or regarding pressing,
16 arbitrating or litigating it.

17 Voluntarily assisting any person (not a
18 governmental organ or entity) arbitrating or
litigating a claim against the persons referred to
19 in sec. 1 of the "Mutual Release of All Claims and
Settlement Agreement" of December, 1986.

20 A true and correct copy of the May 28 Order which I received from
21 the Court is attached as Exhibit A in support of the Motion.

22 3. On June 5, 1992, I gave notice to Armstrong's lawyers,
23 Ford Greene and Paul Morantz, of the May 28 Order. A true and
24 correct copy of the Notice with exhibits and proofs of service is
25 attached as Exhibit S in support of the Motion.

26 4. At a deposition of Gerald Armstrong ("Armstrong") in
27 this case on June 24, 1992, he and my co-counsel, Andrew Wilson,
28 had the following exchange regarding the December 1986 "Mutual

1 Release and Settlement Agreement" between the Church and
2 Armstrong ("Settlement Agreement") and the May 28 Order:

3 A. . . . I have absolutely no intention of
4 honoring that settlement agreement. I cannot. I
5 cannot logically. I cannot ethically. I cannot
6 morally. I cannot psychically. I cannot philo-
sophically. I cannot spiritually. I cannot in
any way. And it is firmly my intention to not
honor it.

7 Q. No matter what a court says?

8 A. No court can order it. They're going to have
9 to kill me.

10 A true and correct copy of the relevant page of the transcript of
11 that deposition, p. 124, accurately reflecting the statements of
12 Armstrong and myself, is attached as Exhibit F to the Motion.

13 5. At a continuation of Armstrong's deposition in this
14 case on October 7, 1992, Armstrong and I had the following
15 exchange regarding the May 28 Order:

16 Q. When was the next time you spoke to Mr.
Welkos or Mr. Sappell?

17 A. Around the time of the Sohigian ruling.

18 Q. This is another telephone conversation?

19 A. In that I only met Mr. Welkos on that one
20 occasion, yes.

21 Q. I apologize. You said that, and I
22 forgot. And this was a conversation with Mr.
Welkos?

23 A. Yes

24 Q. Did you call him, or did he call you?

25 A. I believe I originated the conversation.

26 Q. What did he say to you, and what did you
say to him, during that conversation?

27 A. I believe I advised him of the Sohigian
28 ruling.

1 Q. Did you discuss anything else with him?

2 A. I think it was -- That's all that I
3 recall being the subject of the discussion at that
4 time.

5 Q. Did you tell him that as a result of the
6 Sohigian ruling, you now felt that you were more
7 free to do things that you had been constrained
8 about doing before?

9 A. No, I never said that. Because I did not
10 feel I was constrained before. But rather that by
11 specifically denying the injunction as to all of
12 those things which the organization sought in the
13 preliminary injunction, that I was free from the
14 potential of an injunction.

15 A true and correct copy of the relevant pages of the transcript
16 of that deposition, pp. 378-379, accurately reflecting the
17 statements of Armstrong and myself, is attached as part of
18 Exhibit D to the Motion. On behalf of my client the Church, I
19 allege that the statements made by Armstrong under oath as quoted
20 in this paragraph and the paragraph immediately preceding in this
21 declaration are acknowledgements by Armstrong of his awareness of
22 the May 28 Order, his ability to act in compliance of such order
23 and his intention to wilfully disobey its terms.

24 6. At a continuation of Armstrong's deposition in this
25 case on July 22, 1992, he acknowledged to me under oath that he
26 continued to be employed by Ford Greene as a paralegal. A true
27 and correct copy of the relevant pages of the transcript of that
28 deposition, pp. 186-189, accurately reflecting the statements of
Armstrong and myself, is attached as Exhibit H to the Motion.

7. On July 7, 1992, I received in the mail a notice of
association from Ford Greene announcing that he again represented
Vicki and Richard Aznaran in the matter of Vicki Aznaran and
Richard Aznaran v. Church of Scientology International, et al.

1 U.S. District Court, Central District of California No.
2 CV-88-1786-JMI(Ex) ("Aznaran v. Church"). On that day, I sent
3 Mr. Greene a letter by telecopier and first class mail. A true
4 and correct copy of that letter is attached as Exhibit I to the
5 Motion. In that letter, I requested that Mr. Greene inform me of
6 the steps that had been and that would be taken to ensure that
7 Armstrong did not violate the terms of the May 28 Order, in
8 particular the prohibition that prevented Armstrong from
9 assisting the Aznarans in their case.

10 8. On or about July 12, 1992, I received a letter from Mr.
11 Greene, dated July 11, 1992, which responded to the above
12 referenced letter of July 7, 1992. A true and correct copy of
13 that letter is attached as Exhibit J to the Motion. In that
14 letter, Mr. Greene pointedly declined to provide any specific
15 assurances that Armstrong would not assist the Aznarans or any
16 other anti-Church litigant or claimant in violation of the
17 above-cited terms of the May 28 Order. Instead, he characterized
18 the May 28 Order as "somewhat cryptic and difficult to enforce"
19 and that as to Armstrong's compliance with said order, I "would
20 simply have to take [Mr. Greene's] word for it."

21 9. In July, 1992, following my receipt of a copy of a
22 ruling of Judge Ideman in Aznaran v. Church transferring that
23 case from the Central District of California to the U.S. District
24 Court in Dallas, Texas, I received a telephone call from
25 Armstrong in which he stated that he was calling from Mr.
26 Greene's office and that he needed to receive immediately by fax
27 such transfer ruling of Judge Ideman. I told Armstrong that the
28 May 28 Order prohibited him from assisting the Aznarans or any

1 other litigants against the Church. He replied that he was
2 trying to help the Aznarans. On behalf of my client the Church,
3 I allege that the statements made by Armstrong as relayed in this
4 paragraph are acknowledgements by Armstrong of his awareness of
5 the May 28 Order, his ability to act in compliance of such order
6 and his intention to wilfully disobey its terms.

7 10. On July 18, 1992, I sent another letter to Mr. Greene
8 by telecopier and first class mail, responding to his July 11,
9 1992 letter, accurately describing my above referenced July, 1992
10 conversation with Armstrong and reiterating that Armstrong was
11 required to immediately cease all work for the Aznarans and to
12 cease all actions in violation of the May 28 Order. A true and
13 correct copy of that letter is attached as Exhibit K to the
14 Motion.

15 11. I received no response to my July 18, 1992 letter from
16 Mr. Greene. However, on or about August 1, 1992, I received two
17 proofs of service for Mr. Greene's pleadings in the Aznaran v.
18 Church case, each of which was executed by Armstrong. True and
19 correct copies of those proofs of service are attached as Exhibit
20 L to the Motion. On behalf of my client the Church, I allege
21 that the actions taken by Armstrong as relayed in this paragraph
22 are acknowledgements by Armstrong of his ability to act in
23 compliance of the May 28 Order and his intention to wilfully
24 disobey its terms.

25 12. In the continuation of Armstrong's deposition in this
26 case on October 7 and 8, 1992, during which I further examined
27 Armstrong, he made several additional admissions that I allege
28 indicate his awareness of the May 28 Order, his ability to act in

1 compliance of such order and his intention to wilfully disobey
2 its terms. These admissions include Armstrong's statements that
3 he broadly discussed with the Aznarans matters relating to their
4 case against the Church, that he assisted in the relay of
5 communications between the Aznarans and Mr. Greene and that he
6 was assisting three other persons, Tillie Good, Denise Cantin and
7 Ed Roberts, each of whom is making claims, through Mr. Greene's
8 office, against Churches of Scientology protected by the May 28
9 Order. A true and correct copy of the relevant pages of the
10 transcript of this deposition, pp. 448-458, accurately reflecting
11 the statements of Armstrong, Mr. Greene and myself, is attached
12 as part of Exhibit D to the Motion. True and correct copies of
13 Mr. Greene's demand letters against various Churches of
14 Scientology on behalf of Ms. Good, Ms. Cantin and Mr. Roberts
15 received by me and/or my firm are attached as Exhibits M, N and O
16 respectively to the Motion.

17 13. On December 26, 1992, I received by U.S. mail a letter
18 signed by Gerald Armstrong, dated December 22, 1992, and
19 addressed to "David Miscavige and all other individuals who
20 participate in the control of Scientology, C/O Laurie J.
21 Bartilson, Esquire" ("December 22 Letter"). A true and correct
22 copy of the December 22 Letter is attached to the moving papers
23 as Exhibit G.

24 14. In what can only be described as deliberate harassment,
25 Armstrong also sent copies of the letter to 35 individuals and
26 groups, including anti-Church litigants, such as Vicki and
27 Richard Aznaran, Larry Wollersheim and Joseph Yanny, and lawyers
28 who represent clients in actions brought against one of more

1 churches, including Toby Plevin, John Elstead, and Dan Leipold.

2 15. Armstrong spends the bulk of the December 22 Letter
3 vilifying the Church and its members, and threatening further
4 breaches of the settlement agreement, and violations of the
5 preliminary injunction, if his demands are not met. Although
6 Armstrong has publicly disavowed any interest in money, he
7 insists that the Church pay him \$500,000 for his "legal fees and
8 costs," "cancel" the settlement agreement, and pay unspecified
9 amounts of money to other anti-Church litigants if the Church
10 wishes to avoid Armstrong's threatened violations.

11 16. Specifically, Armstrong threatens that, if his demands
12 are not met, that he will travel voluntarily to South Africa to
13 testify against a church of Scientology, give interviews to the
14 media, and voluntarily assist anyone and everyone opposing
15 Churches that he can locate. [*Id.* pp. 3, 4, 6, 7, 8] Expressing
16 the viewpoint that the May 28 Order places no restrictions
17 whatsoever on his conduct, Armstrong states,

18 I consider myself free to do anything anyone can,
19 except testify absent a subpoena. Much of what I am
permitted to do I am going to do. . . .

20 I will continue to associate with and befriend all
21 those people I consider you attack unjustly and
22 senselessly. I will make my knowledge and support
23 available to the Cult Awareness Network, a group of
24 people of good will you vilify, in all the litigation
you have fomented against them. . . . I will even make
my knowledge and support available to entities like
Time and people like Rich Behar in their defenses from
your attacks.

25 [Exhibit G, p. 3].

26 17. The Cult Awareness Network is an anti-religious group
27 that advocates the kidnapping and forcible "deprogramming" of
28 individuals belonging to religions which they have identified as

1 "cults." While the Church is not presently suing the Cult
2 Awareness Network in any litigation, the president of the Cult
3 Awareness Network, Cynthia Kisser, has initiated an action
4 against the Church and its president, Heber Jentzsch.

5 18. Richard Behar is the author of a Time cover story
6 concerning the Church which ran in May, 1991. The Church is
7 presently engaged in a lawsuit against Time and Behar for
8 defamation.

9 19. In the December 22 Letter, Armstrong also makes plain
10 the personal contempt which he has for a Court which would rule
11 against him:

12 There is also, as mentioned above, the fact that
13 in order to defend myself from your attacks and to fund
14 the defense of the litigation you have fomented I must
15 speak and must publish. I'm sure you understand that I
16 remain completely confident that no court, other than
the odd one your mercenaries are able to compromise
with bucks, babes or bull, will order me not to defend
myself.

17 [Id. p. 5].

18 20. These recent pronouncements by Armstrong make plain
19 that nothing short of a criminal contempt order is likely to end
20 Armstrong's misconduct.

21 21. On December 30, 1992, I received a videotape identified
22 by the initial speaker as a November 6, 1992 interview of
23 Armstrong. Jerry Whitfield and others participated in such
24 interview which, on information and belief, took place at the Los
25 Angeles convention in early November, 1992 of the so-called "Cult
26 Awareness Network" ("CAN"). A true and accurate copy of the
27 video tape is attached and lodged as Exhibit Q to the Motion. A
28 true and accurate transcript of the conversation between

1 Armstrong, Mr. Whitfield and others as reflected on said
2 videotape is attached as Exhibit P to the Motion. During this
3 recorded interview, Armstrong makes the following statement:

4 . . . I cannot, except pursuant to a subpoena, assist
5 someone intending to file a claim or pressing a claim
6 against the organization. Now then we are appealing
7 even that narrow ruling, because that's unenforceable
8 because if you construe that my ... that this video
9 could possibly indirectly help someone in the future, I
10 can't do this. And not only that but if you consider
11 that my existence indirectly or directly helps someone,
12 then I'll oblige to take my own life. In other words,
13 I must stop breathing. It's unenforceable. I feel I
14 am completely at liberty to associate with whomever I
15 want, to talk to whomever I want, and I act and live
16 that way. And that is in part why I am here at this
17 event now, why I came to the CAN conference.

18 Exhibit P, p. 34.

19 On behalf of my client the Church, I allege that the
20 statements made by Armstrong as relayed in this paragraph are
21 further acknowledgements by Armstrong of his awareness of the May
22 28 Order, his ability to act in compliance of such order and his
23 intention to wilfully disobey its terms.

24 22. Mr. Whitfield is a defendant in the matter of Casillas
25 v. Jerry Whitfield, et al., Los Angeles County Municipal Court
26 No. 91K49349. My office represents Mr. Casillas in that action.
27 Mr. Casillas is a staff member of the Church and is suing Mr.
28 Whitfield and others for false imprisonment and false arrest.

I declare under penalty of perjury under the laws of the
State of California that the foregoing is true and correct.

Executed this 31st day of December, 1992 at Los Angeles,
California.

H:\ARMSTRON\BART.DEC


Laurie J. Bartilson

EXHIBIT 2

BOWLES & MOXON
ATTORNEYS AT LAW
6255 SUNSET BOULEVARD
SUITE 2000
HOLLYWOOD, CALIFORNIA 90028

TIMOTHY BOWLES *
KENDRICK L. MOXON ±
LAURIE J. BARTILSON †
HELENA K. KOBRIN ‡

(213) 953-3360
TELECOPIER (213) 953-3351

PETER M. JACOBS
RANDALL A. SPENCER §
ROBERT A. WIENER #
LESLIE T.W. SOASH
AVA MARIE SANDLIN

* ALSO ADMITTED IN OREGON
± ALSO ADMITTED IN THE DISTRICT OF COLUMBIA
† ALSO ADMITTED IN MASSACHUSETTS
‡ ALSO ADMITTED IN FLORIDA
§ ALSO ADMITTED IN ILLINOIS
ALSO ADMITTED IN OKLAHOMA

OF COUNSEL
JEANNE M. GAVIGAN
MARCELLO M. DI MAURO
KAREN L. BROWN
KAREN D. HOLLY

July 23, 1993

BY TELEFAX AND U.S. MAIL

Ford Greene
711 Sir Francis Drake Blvd.
San Anselmo, California 94960-1949

Re: Church of Scientology International v. Gerald Armstrong

Dear Mr. Greene:

Please take notice that on Monday, July 26, 1993, at 8:30 a.m., plaintiff Church of Scientology International will appear in Department 86 of the Los Angeles Superior Court, and request that an order issue, pursuant to Code of Civil Procedure Section 1212, directing Gerald Armstrong to show cause why he should not be held in contempt of court and sanctioned. Plaintiff intends to base its request on the declaration, dated June 4, 1993, which Armstrong provided to Larry Wollersheim and his attorneys in direct contravention of the injunction issued in this case by Judge Sohigian on May 28, 1992.

Sincerely,

BOWLES & MOXON



Laurie J. Bartilson

LJB:mfh

Enc.

cc: Paul Morantz BY TELEFAX AND U.S. MAIL
cc: Andrew H. Wilson BY TELEFAX AND U.S. MAIL

FORD GREENE
LAWYER

HUB LAW OFFICES
711 SIR FRANCIS DRAKE BOULEVARD
SAN ANSELMO, CALIFORNIA 94960-1949
(415) 258-0360

LICENSE No. 107801
FACSIMILE (415) 456-5318

July 23, 1993
1207 PDT

Laurie J. Bartilson, Esquire
Bowles & Moxon
6255 Sunset Boulevard
Suite 2000
Los Angeles, CA 90028

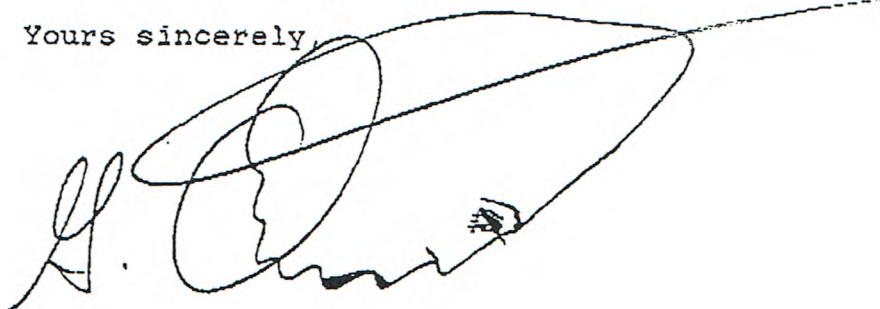
BY FAX (213)953-3351

Dear Ms. Bartilson:

I have been directed by Mr. Greene to ask you to fax to this office immediately all your papers relating to your attempt to have me held in contempt for providing a declaration to Lawrence Wollersheim.

Thank you for your attention to this matter.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'G. Armstrong', with a large, sweeping flourish extending from the end of the signature.

Gerald Armstrong
for Ford Greene, Esquire

:ga

BOWLES & MOXON
ATTORNEYS AT LAW
6255 SUNSET BOULEVARD
SUITE 2000
HOLLYWOOD, CALIFORNIA 90028

TIMOTHY BOWLES *
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* ALSO ADMITTED IN OREGON
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ALSO ADMITTED IN OKLAHOMA

OF COUNSEL
JEANNE M. GAVIGAN
MARCELLO M. DI MAURO
KAREN L. BROWN
KAREN D. HOLLY

July 23, 1993

BY TELEFAX AND U.S. MAIL

Ford Greene
711 Sir Francis Drake Blvd.
San Anselmo, California 94960-1949

Re: Church of Scientology International v. Gerald Armstrong

Dear Mr. Greene:

I am in receipt of the attached letter from your client,
Gerald Armstrong.

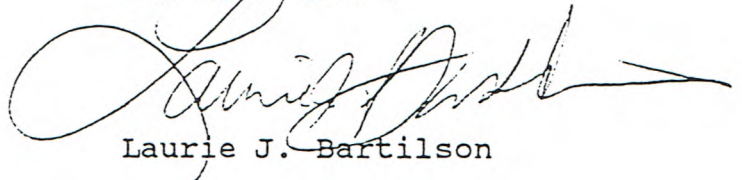
In light of the unfounded accusations which you have leveled
at me in the past, I am sure you can appreciate that I am
unwilling to engage in any direct communication with your client,
absent your written authorization.

As soon as the order to show cause papers are completed, I
will fax them to your office, as has always been our custom.
They are as yet incomplete.

Please advise whether or not you intend to oppose the
application.

Sincerely,

BOWLES & MOXON



Laurie J. Bartilson

LJB:mfh
Enc.

cc: Paul Morantz BY TELEFAX AND U.S. MAIL
cc: Andrew H. Wilson BY TELEFAX AND U.S. MAIL

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Blvd., Suite 2000, Los Angeles, California 90028.

On July 26, 1993, I served the foregoing document described as DECLARATION OF LAURIE J. BARTILSON IN SUPPORT OF SECOND APPLICATION FOR ORDER TO SHOW CAUSE WHY GERALD ARMSTRONG SHOULD NOT BE HELD IN CONTEMPT on interested parties in this action,

[] by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

[X] by placing [] the original [X] true copies thereof in sealed envelopes addressed as follows:

FORD GREENE
HUB Law Offices
711 Sir Francis Drake Blvd.
San Anselmo, CA 94960-1949

PAUL MORANTZ
P.O. Box 511
Pacific Palisades, CA 90272

[X] BY MAIL

[] *I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

[X] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an

affidavit.

Executed on July 26, 1993 at Los Angeles, California.

[] **(BY PERSONAL SERVICE) I delivered such envelopes by hand to the offices of the addressees.

Executed on _____, at Los Angeles, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Print or Type Name

Signature

* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

** (For personal service signature must be that of messenger)

1 Andrew H. Wilson
2 WILSON, RYAN & CAMPILONGO
3 235 Montgomery Street
4 Suite 450
5 San Francisco, California 94104
6 (415) 391-3900

7 Laurie J. Bartilson
8 BOWLES & MOXON
9 6255 Sunset Boulevard, Suite 2000
10 Hollywood, California 90028-7421
11 (213) 953-3360

12 Attorneys for Plaintiff
13 CHURCH OF SCIENTOLOGY
14 INTERNATIONAL

ORIGINAL FILED

JUL 26 1993

LOS ANGELES
SUPERIOR COURT

RECEIVED

JUL 29 1993

HUB LAW OFFICES

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 FOR THE COUNTY OF LOS ANGELES

12 CHURCH OF SCIENTOLOGY	)	CASE NO. BC 052395
13 INTERNATIONAL, a California not-	)	
14 for-profit religious corporation,	)	DECLARATION OF LAURIE J.
	)	BARTILSON IN SUPPORT OF
15 Plaintiff,	)	SECOND APPLICATION FOR
	)	ORDER TO SHOW CAUSE WHY
16 vs.	)	GERALD ARMSTRONG SHOULD NOT
	)	BE HELD IN CONTEMPT
	)	
17	)	
18 GERALD ARMSTRONG; THE GERALD	)	DATE: July 26, 1993
ARMSTRONG CORPORATION, a	)	TIME: 8:30 a.m.
19 California for-profit corporation;	)	DEPT: 86
DOES 2 through 25, inclusive,	)	
20 Defendants.	)	DISCOVERY CUT-OFF: None
	)	MOTION CUT-OFF: None
21 AND RELATED CROSS-COMPLAINT	)	TRIAL DATE: Vacated

22 I, LAURIE J. BARTILSON, hereby declare:

23 1. I am a partner in the law firm of Bowles & Moxon and am
24 an attorney admitted to practice in the State of California. My
25 firm represents plaintiff Church of Scientology International
26 ("Church") in the instant case. I am submitting this declaration
27 in support of the Church's Second Ex Parte Application for Order
28

1 to Show Cause Why Gerald Armstrong Should Not Be Held in Contempt
2 ("Application"). I have personal knowledge of the matters
3 specified in this declaration and, if called upon to testify on
4 such matters, would and could do so competently.

5 2. In the Church's December 31, 1992 ex parte application
6 for order to show cause in this case and in my supporting
7 declaration to that application and accompanying exhibits, the
8 Church documented at least six earlier instances of Armstrong's
9 wilful violations of the May 28, 1992 preliminary injunction
10 order of this Court ("May 28 order"). As required, my December
11 31, 1992 declaration ("First Dec.") contained allegations of: (a)
12 the issuance of the May 28 order (First Dec., ¶ 2); (b) notice to
13 Armstrong of the May 28 order through notice to his attorneys on
14 June 5, 1992 in the manner authorized by the Court (First Dec., ¶
15 3); (c) Armstrong's knowledge of the May 28 order through his
16 statements that he was aware of but would never comply with such
17 order (First Dec., ¶¶ 4, 5, 9, 10 and 13); and (d) Armstrong's
18 ability to have complied with such order (through his actions of
19 assistance to anti-Church litigants, including his latest
20 instance specified in paragraph 5 below, Armstrong was just as
21 able to desist from such actions (First Dec., ¶¶ 4, 5, 9, 11, 12
22 and 13)). My December 31, 1992 declaration is attached as
23 Exhibit 1 hereto and its statements and allegations are
24 incorporated by reference into this declaration.

25 3. The May 28 order states, in part:

26 Defendant Gerald Armstrong ... and persons acting in
27 concert ... with him ... are restrained and enjoined
28 during the pendency of this suit pending further order
of this court from ... [v]oluntarily assisting any
person ... litigating a claim against the persons

1 referred to in sec. 1 of the "Mutual Release of All
2 Claims and Settlement Agreement" of December 1986.

3 Exhibit A to Application, May 28 order, p. 2, ¶ 6. The persons
4 and entities protected by the prohibition against voluntary
5 assistance include plaintiff Church and the Church of Scientology
6 of California. Exhibit B to Application, Mutual Release of All
7 Claims and Settlement Agreement, p. 1, ¶ 1.

8 4. Less than a month after the May 28 order was issued,
9 Armstrong asserted under oath in deposition that he would not
10 honor its terms.

11 I have absolutely no intention of honoring that
12 settlement agreement. I cannot. I cannot logically.
13 I cannot ethically. I cannot morally. I cannot
14 psychically. I cannot philosophically. I cannot
15 spiritually. I cannot in any way. And it is firmly my
16 intention not to honor it.

17 Q. No matter what the court says?

18 A. No court can order it. They're going to have to
19 kill me.

20 Exhibit C to Application, June 24, 1992 deposition of Gerald
21 Armstrong, p. 124. Armstrong also stated his intent to ignore
22 the May 28 order in a December 22, 1992 letter to plaintiff's
23 counsel. Exhibit D to Application.

24 5. Larry Wollersheim is a former Church member who has been
25 actively pursuing claims against the Church of Scientology of
26 California in litigation since 1980. On or about June 17, 1993,
27 I received a set of exhibits in support of Larry Wollersheim's
28 motion to strike in Church of Scientology of California v.
Wollersheim, Los Angeles County Superior Court No. 074815. I
represent the Church of Scientology of California in that case.
Designated as exhibit 6 in that set was a copy of a five-page

1 declaration of Gerald Armstrong, showing on the last page that
2 Armstrong had executed the document under oath on June 4, 1993.
3 That declaration contained an Armstrong diatribe against the
4 Churches of Scientology. Exhibit J to Application.

5 6. I allege that execution and delivery of the June 4, 1993
6 declaration by Armstrong to Wollersheim and/or Wollersheim's
7 counsel is a violation of the prohibition in the May 28 order
8 against voluntary assistance to Church adversaries in litigation
9 and is in deliberate contempt of this Court's authority.

10 7. On July 23, 1993, I gave notice of this application to
11 Armstrong's counsel, Ford Greene and Paul Morantz, by telefax
12 communication. A true and correct copy of my letter giving
13 notice is attached hereto as Exhibit 2, together with telefax
14 transmission confirmation sheets. I received a response to my
15 letter from defendant Armstrong, Exhibit 3, and responded to that
16 communication on July 23, 1993, Exhibit 4.

17 Neither Armstrong nor his counsel indicated whether or not
18 they intended to oppose this application.

19 I declare under penalty of perjury under the laws of the
20 State of California that the foregoing is true and correct.

21 Executed on this __ th day of July, 1993 at Los Angeles,
22 California.

23 _____
24 Laurie J. Bartilson
25
26
27

28 H:\ARMSTRON\LAURIE.DEC